

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-28 are pending. Claims 1, 12, 13, and 24-28, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, specifically at pages 18-19.

No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 1, 12, 13, and 24-28 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement because of the claims allegedly containing subject matter which was not described in the specification.

The Applicants submit that the features regarding “defining content, layout, structure, and appearance of the web site...” in claims 1, 12, 13, and 24-28 is supported in the specification as originally filed at least at page 18,

lines 17-30. Claims 1, 12, 13, and 24-28 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing to particular point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants submit that the claims have been amended to obviate the Examiner's rejection.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-10, 12-22, and 24-28 were rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,263,352 to Cohen (hereinafter, merely "Cohen") in view of U.S. Publication No. 2002/0023111 to Arora et al. (hereinafter, merely "Arora") in view of U.S. Patent No. 6,356,903 to Baxter et al (hereinafter, merely "Baxter").

Claims 11 and 23 were rejected under 35 U.S.C. §103(a), as allegedly unpatentable over Cohen in view of Arora and further in view of U.S. Patent No. 6,014,638 to Burge et al. (hereinafter, merely "Burge").

IV. RESPONSE TO REJECTION UNDER 35 U.S.C. § 103(a)

Claim 1 recites, *inter alia*:

"generating a single description, containing configuration of each dimension, of the web site based upon the one or more determined characteristics for each of the one or more web site dimensions,
wherein the web site dimensions include content, layout, structure, and appearance;

...defining content, layout, structure, and appearance of the web site independently through access to software modules for independently

editing one or more of the content, layout, structure,
and appearance of the website” (Emphasis added)

Applicants respectfully submit that nothing has been found in Cohen, Arora, and Baxter, taken alone or in combination that would teach or suggest the above-identified features of claim 1. Specifically, the art used as a basis of rejection does not teach or suggest defining content, layout, structure, and appearance of the web site independently through access to software modules for independently editing one or more of the content, layout, structure, and appearance of the website, as recited in claim 1.

As understood by Applicants, Cohen relates to a store builder wizard to guide a merchant through a series of questionnaires designed to extract information pertaining to the merchant's business. For example, the questionnaires might be written as a series of HTML documents that require the merchant to enter data concerning the business' address, inventory, pricing, preferred method of payment, and so forth. The answers to the questions are stored in a data file. The Cohen system uses a page generator to create active server pages (ASPs) that form the customized storefront. The page generator creates the active server pages from a set of templates that are generic to formation of online storefronts and uses the merchant data collected by the store builder wizard as input to the templates to thereby convert the templates to ASPs that are customized according to the merchant's input.

Therefore, unlike the present invention as recited in claim 1, Cohen fails to teach or suggest defining content, layout, structure, and appearance of the

web site independently through access to software modules for independently editing one or more of the content, layout, structure, and appearance of the website. Instead, Cohen discloses merely a store builder wizard that allows a merchant to create a customized storefront. The store builder of Cohen does not disclose or render predictable one or more software modules to independently edit one or more of the content, layout, structure and/or appearance. The customized storefront by contrast is created in response to a questionnaire, not separate module editing.

As understood by Applicants, Arora relates to Web page editor with a drag and drop interface that allows a user to define and publish a Web page on a “What You See is What You Get” (WYSIWYG) basis. Arora similarly fails to disclose defining content, layout, structure, and appearance of the web site independently through access to software modules for independently editing one or more of the content, layout, structure, and/or appearance of the website. Arora, by contrast, discloses only a single software interface where the content, layout, structure, and appearance are all defined together to generate or publish a Web page. Arora, like Cohen, fails to teach or suggest access to one or more separate software modules for independent editing of one or more of content, layout, structure and appearance.

As understood by Applicants, Baxter, relates to a content management system for information delivery that includes a repository for storing content and the organization and format of the content to allow users to access the content for various purposes. As such, Baxter fails to cure the deficiencies of

Cohen and Arora and fails to teach or suggest defining content, layout, structure, and appearance of the web site independently through access to software modules for independently editing one or more of the content, layout, structure, and appearance of the website.

Therefore, for at least these reasons, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 12, 13, and 24-28 are similar, or somewhat similar, in scope and are therefore patentable for similar reasons.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

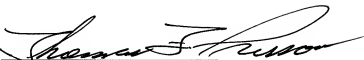
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG
Attorneys for Applicants

By



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800